

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION**

Writ Petition No.695 of 1994

Asiatic Travells Services. Petitioners
vs
Abrose Fernandes Respondent

None for petitioners
Mr K.S. Bapat with Mr. T.R. Yadav for respondent

CORAM: SWATANTER KUMAR,C.J.,&
S.C.DHARMADHIKARI, J.

DATE: APRIL 17, 2007.

P.C.:-

This case was called out yesterday when nobody was present for the petitioners. It was kept back and was listed for today. Even today nobody appears on behalf of the petitioners. We are informed that the view of the learned Single Judge of this court that the compensation payable under the provisions of section 25F of the Industrial Disputes Act, has to be half of a month (26 days) that is working days in a month. In any case since nobody appears on behalf of the petitioners, and it is the case of the counsel for the respondent that in compliance with the interim order passed by this court under section 17B of the Act, even the interim wages have not been paid. We see no reason to keep this petition pending further

and the same is dismissed for non-prosecution as well as for default of appearance. Liberty to the workman to withdraw the amount deposited in this court with accrued interest on investment.

Writ petition is accordingly disposed of.

CHIEF JUSTICE

S.C.DHARMADHIKARI,J.